

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.2068 OF 2007

Airports Authority Employees Union	..Petitioner.
Vs.	
Airports Authority of India and others	..Respondents.

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Mr. J.P. Cama, Senior Advocate with Mr. S.T. Shetty for the
Petitioner.
Mr. D.G. Dhanure i/b M.V. Kini & Co. for Respondent No.1.
Mr. P.K. Samdani, Senior Advocate with Mr. Rajendra Singh i/b
M/s. Wadia Ghandy & Co. for Respondent No.2.
Mr. V.J. Hegde for Respondent No.4.

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CORAM: SMT. RANJANA DESAI &
DR. D.Y. CHANDRACHUD, JJ.

12th October, 2007.

P.C. :

We have heard Counsel appearing for the Petitioner and
counsel appearing for the Respondents. Affidavit cum undertaking
of Mr. Jagdish Gopal Shetty, partner of M/s. Rameshwar Fast-food
who is a new contractor is tendered in the Court. Paragraph 4 of
the said affidavit reads as under :

“I hereby submit and undertake that I shall provide the
food items at the staff canteens to be operated by me
situated at the Chhatrapati Shivaji International Airport,
Mumbai, to all the Airports Authority of India employees
at rates which are at parity to the existing rates being
offered by the outgoing contractor M/s. Omkar Caterers,

Respondent no.3 herein till May 2, 2009.”

We accept the undertaking given in paragraph 4. In view of this undertaking, in our opinion, it is not necessary to entertain this Petition. However, it will always be open to the Petitioner to adopt appropriate remedy including approaching this Court, in case there is any violation of any of the service conditions of the members of the Petitioner union.

We make it clear that we have not expressed any opinion as to whether such a Petition will be maintainable or not.

The Petition is accordingly disposed of

(SMT. RANJANA DESAI, J.)

(DR. D.Y. CHANDRACHUD, J.)